

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MR. C MANAGER, LLC
Employer

and

Case 31-RC-249624

UNITE HERE LOCAL 11
Petitioner

ORDER

The Employer's Requests for Review of the Acting Regional Director's Decision Overruling Certain Objections, Order Directing Hearing, and Notice of Hearing on Challenged Ballots and Objections and the Regional Director's Decision to Adopt Hearing Officer's Recommendations, Count Challenged Ballots, and Overrule Objections are denied as they raise no substantial issues warranting review.¹

JOHN F. RING,	CHAIRMAN
MARVIN E. KAPLAN,	MEMBER
WILLIAM J. EMANUEL,	MEMBER

Dated, Washington, D.C., June 12, 2020.

¹ In denying review of the Acting Regional Director's overruling of Objection 6 without a hearing, we do not rely upon the file note of the Board agent who conducted the election, but we agree that the objection and accompanying offer of proof did not proffer evidence that, if proven at a hearing, could be grounds for setting aside the election. See *Park Chevrolet-Geo*, 308 NLRB 1010, 1010 fn. 1 (1992).

In denying review of the Regional Director's Decision, we do not rely on *Patient Care*, 360 NLRB 637 (2014), or *Polymers, Inc.*, 174 NLRB 282 (1969), enfd. 414 F.2d 999 (2d Cir. 1969), cert. denied 396 U.S. 1010 (1970). Both cases concern Board agent conduct during an election and are therefore inapposite. We also agree that the Employer failed to prove that room inspectors exercise independent judgment in their direction of Housekeeping employees and thus find it unnecessary to pass on the Regional Director's finding that room inspectors are not held accountable for work they direct others to do.